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TC 3600

DECISION ON PETITION
TO ACCEPT A
LATE COMMUNICATION

John R. Benefiel
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Birmingham, MI 48009

In re Application of
David J. Bauer et al.
Application No. 09/816,955
Filed: March 23, 2001
For: PREWEAKENED AUTOMOTIVE INTERIOR
TRIM PIECE FOR COVERING AN AIR BAG
INSTALLATION IN AN AUTOMATIVE VEHICLE


This is in response to applicants' communication filed in the United States Patent and Trademark Office (USPTO), on October 8, 2002 and supplemented on February 21, 2003. This communication is being treated as a petition to accept a late communication under 37 CFR 1.181. There is no fee for this petition.

The petition is **GRANTED**.

A review of the file record indicates that a Final rejection setting a three month shortened statutory period was mailed to the applicants on May 22, 2002.

Applicants have submitted, on October 8, 2002, a copy of a Notice of Appeal bearing a Certificate of Mailing date of August 21, 2002. Applicants submitted, on February 21, 2003, a statement by John R. Benefiel attesting to the personal knowledge of mailing the response on the date indicated on the Certificate of Mailing. This is sufficient evidence of a timely response.

Since a timely response to the final Office action was filed, the application is being forwarded to the Supervisory Legal Instruments Examiner for entry of the Notice of Appeal. The two-month time period for filing an Appeal Brief will be reset as of the date of mailing of this decision.


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RAR/tpl: 3/21/03